

## **Exhibit 4: Marquis Theater**

### **Exhibit 4A: Entrances**

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 4A (i.e., in the same condition as they existed for the Government's inspection conducted on May 3, 2011).

### **Exhibit 4B: Architectural Modifications**

Nederlander shall make the architectural modifications set forth in Exhibit 4B. Nederlander shall further ensure that patrons of the Theater have access to a designated accessible restroom at the Marriott Marquis Hotel, and post signage indicating the location of that restroom.

### **Exhibit 4C: Seating**

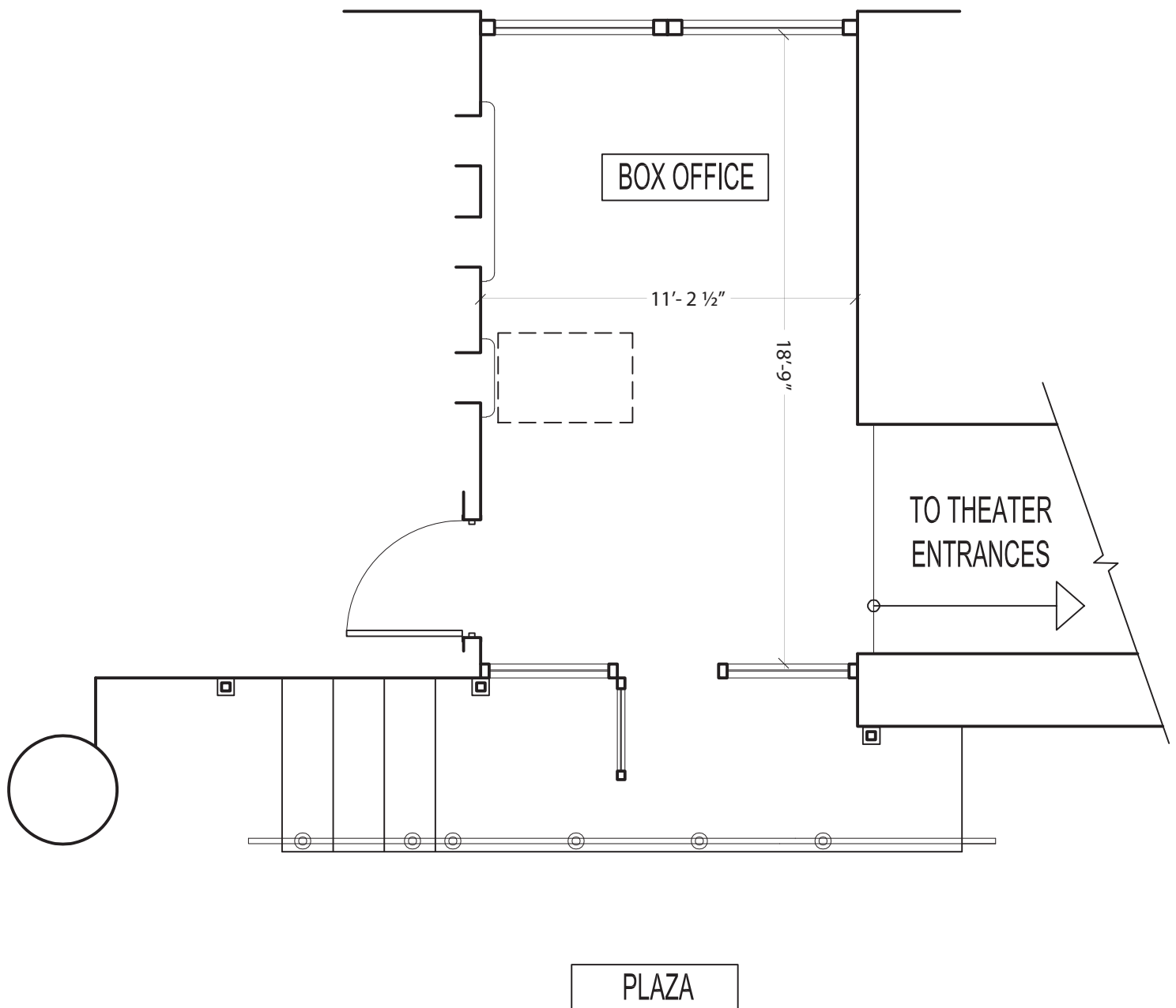
Nederlander shall implement the seating plan attached hereto as Exhibit 4C.

#### Wheelchair and Companion Seating:

1. Nederlander shall maintain the eight existing wheelchair and companion seating locations on the Orchestra level: at Y2, Y3, Y4, Y5, Y102, Y103, Y120, and Y121, with Y1, Y2, Y7, Y8, Y101, Y104, Y119, and Y125 being companion seating locations.
2. Nederlander shall add two wheelchair seating locations on the Orchestra level at Y14/Y12/Z8/Z6 and Y13/Y11/Z5/Z7, with Y10 and Y9 being companion seating locations.

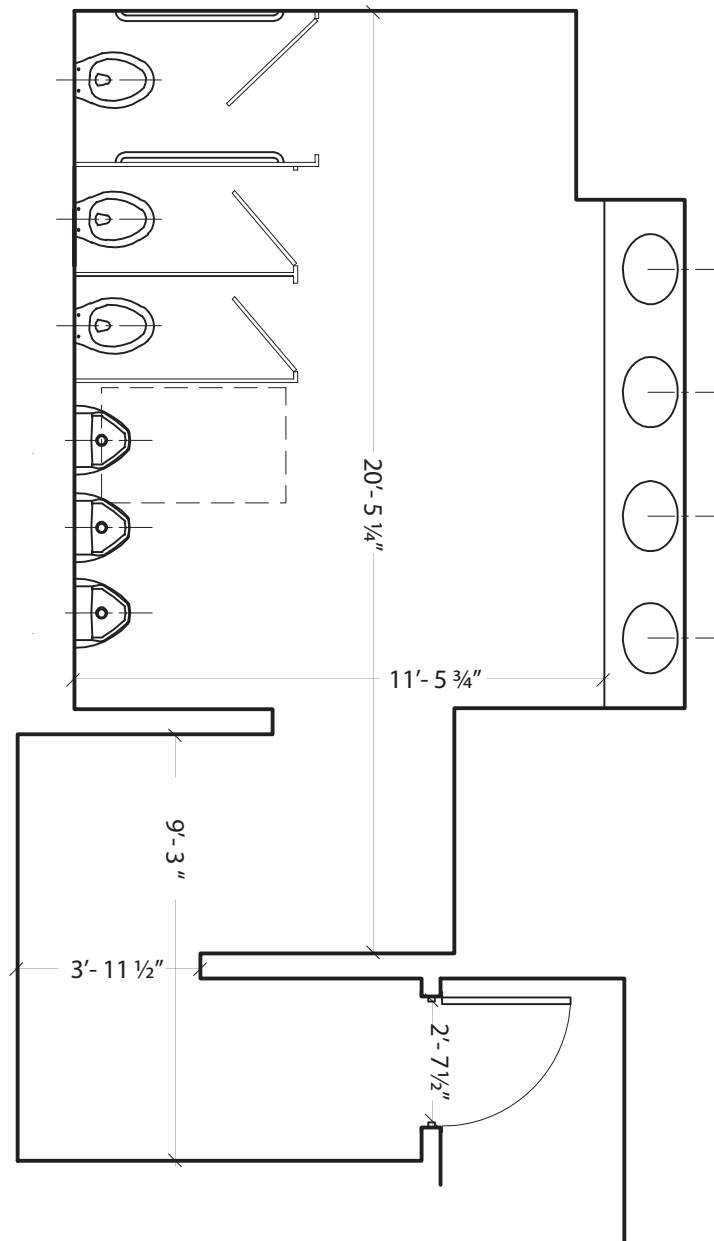
#### Aisle Transfer Seats:

3. Nederlander shall add sixteen new aisle transfer seats on the Orchestra Level at K2, F18, S28, T2, A2, P125, P101, T1, S27, K1, F17, A1 and on the Mezzanine Level at K34, L2, L1 and K33.

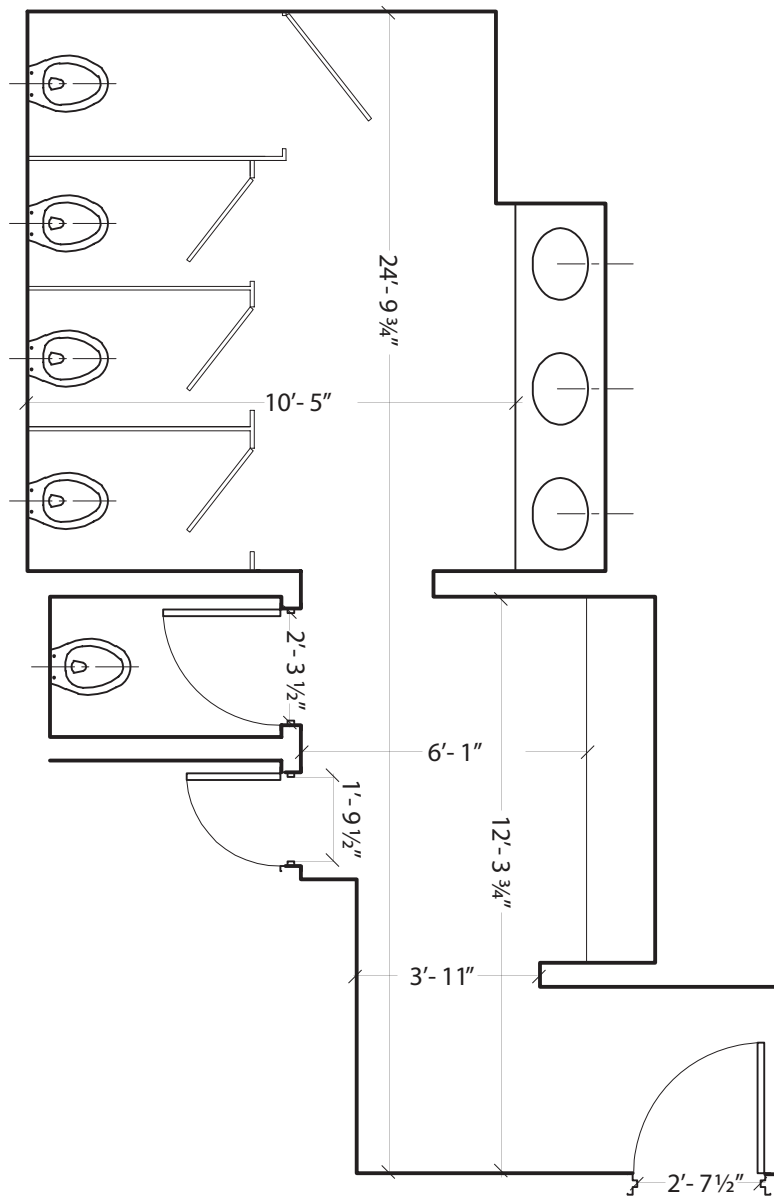


**4. MARQUIS THEATER**  
**BOX OFFICE PLAN**  
**EXISTING CONDITIONS**

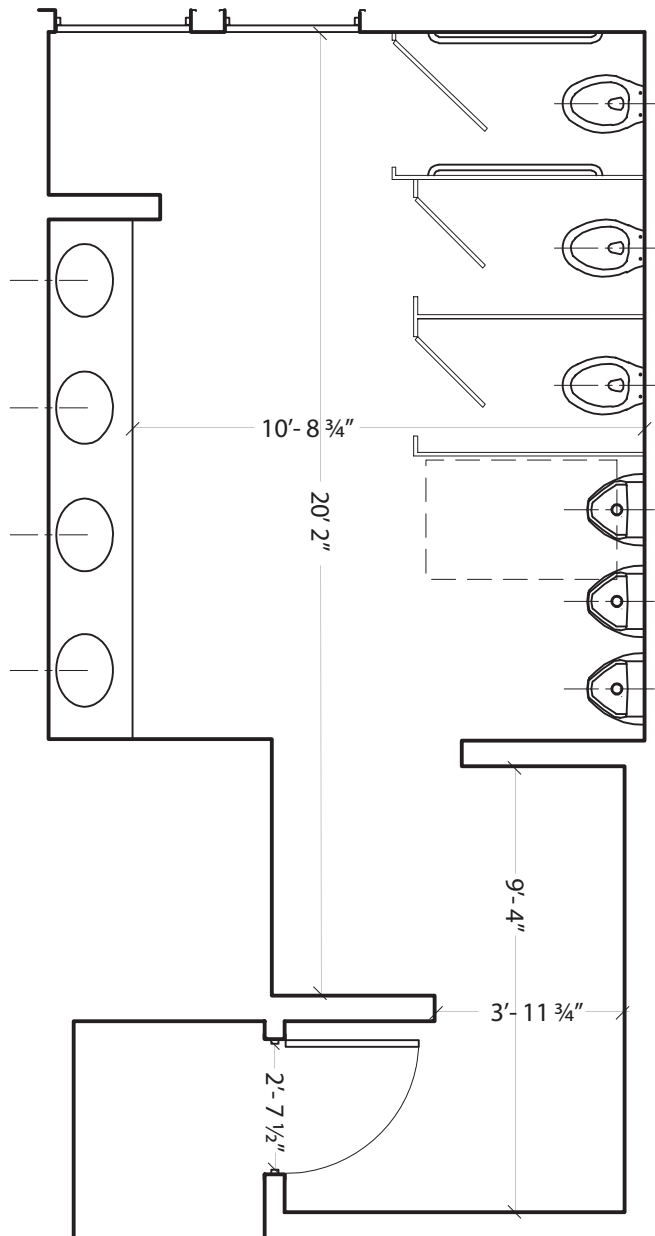
**N.T.S**



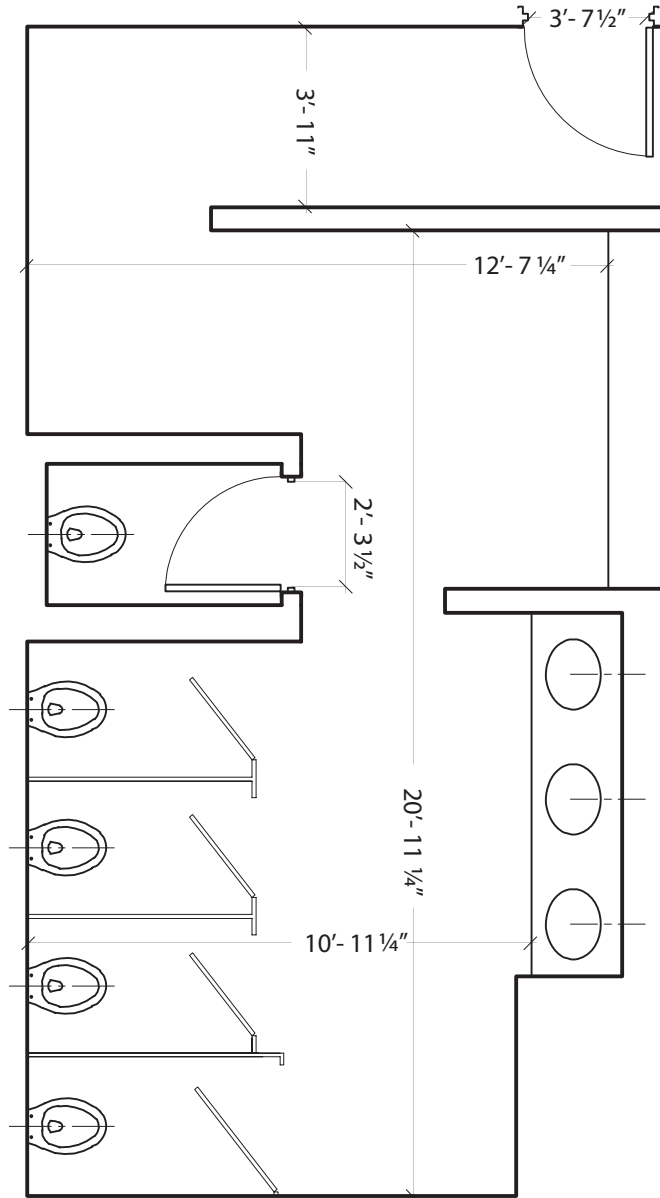
4. **MARQUIS THEATER**  
**MARRIOT MARQUIS HOTEL NORTH - MEN TOILET PLAN**  
**EXISTING CONDITIONS      N.T.S**



4. **MARQUIS THEATER**  
**MARRIOT MARQUIS HOTEL SOUTH - LADIES TOILET PLAN**  
**EXISTING CONDITIONS      N.T.S**



4. **MARQUIS THEATER**  
**MARRIOT MARQUIS HOTEL SOUTH - MEN TOILET PLAN**  
**EXISTING CONDITIONS      N.T.S**



**4. MARQUIS THEATER**  
**MARRIOT MARQUIS HOTEL NORTH - LADIES TOILET PLAN**  
**EXISTING CONDITIONS      N.T.S**

**Exh. 4B Architectural Modifications to Marquis Theater**

<b>Line #</b>	<b>Location Description</b>	<b>Existing Condition</b>	<b>Barrier Removal</b>	<b>1991 Standards Reference</b>	<b>Architectural Modification</b>
1	Entire Facility	There are no raised letter and Braille exit signs in the Facility. Emergency exits with signs that are readable by the public are considered permanent rooms or spaces and are required to have raised letter and Braille signs on them mounted at 60" AFF on the latch side of the door.	Add compliant signs. Tactile sign should say "EXIT" as a minimum. Coordinate with other requirements for signage characteristics, particularly raised characters and Braille, as well as location and height requirements. Verify also that all other signs required to have RLB in public areas are provided.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	<b>Defendant will provide compliant signage.</b>
2	Entire Facility	There are enough alarm pull stations at exit doors and at key points on the stage and trap level to indicate that an audible alarm system is in place in both public and backstage areas of the facility. However, there are no visual signaling devices as required. Approximately three dozen devices will be required in the backstage areas alone.	Install compliant visual alarm signal appliances where required.	4.1.3(14) 4.28	<b>Defendant has installed visual alarm system where required.</b>
3	Entire Facility	Audible alarm system not tested to verify compliance with ADA standards.	Verify compliance with ADA standards for volume, etc.	4.1.3(14) 4.28.2	<b>Defendant has verified compliance, and will continue to do so annually.</b>
4	Main Lobby	Existing ramp which serves as part of an accessible route does not have handrails. There are no handrails on either ramp in the lobby.	Install compliant handrails on both sides of ramp.	4.8.5 4.26 Fig. 17 Fig. 39	<b>Defendant has provided handrails during the course of the investigation.</b>

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5	Main Lobby (Concession Counter)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The concession counter is at 42¼" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	<b>Defendant will include accessible sections in operating concession counter.</b>
6	Main Lobby (Souvenir Counter/Cart)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The souvenir counter/cart is at 43½" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	<b>Defendant will include accessible sections in operating concession counter.</b>
7	Main Lobby (Upper Concession Stand)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The upper concession stand is at 42" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	<b>Defendant will include accessible sections in operating concession counter.</b>
8	Mezzanine Lobby - Hotel Level (Toilet Rooms)	Existing toilet rooms do not provide the required turning space, clear floor space at fixtures, maneuvering clearance(s) at door, or accessible stall (if applicable).	A fully accessible unisex toilet room should be provided somewhere in the facility if these are not modified to become fully accessible. If these do not become fully accessible, provide directional signage to the fully accessible one(s) nearby.	4.1.3(11) 4.22 4.13 4.2.3 4.17 4.26 4.18 4.19 4.27 4.16, Figs. 30, 31, & 32	<b>Defendant shall inform patrons that the Theater lacks any restroom facilities, and shall post signage, and indicate on its website and in any program guide the location of the nearest accessible restroom facility.</b>

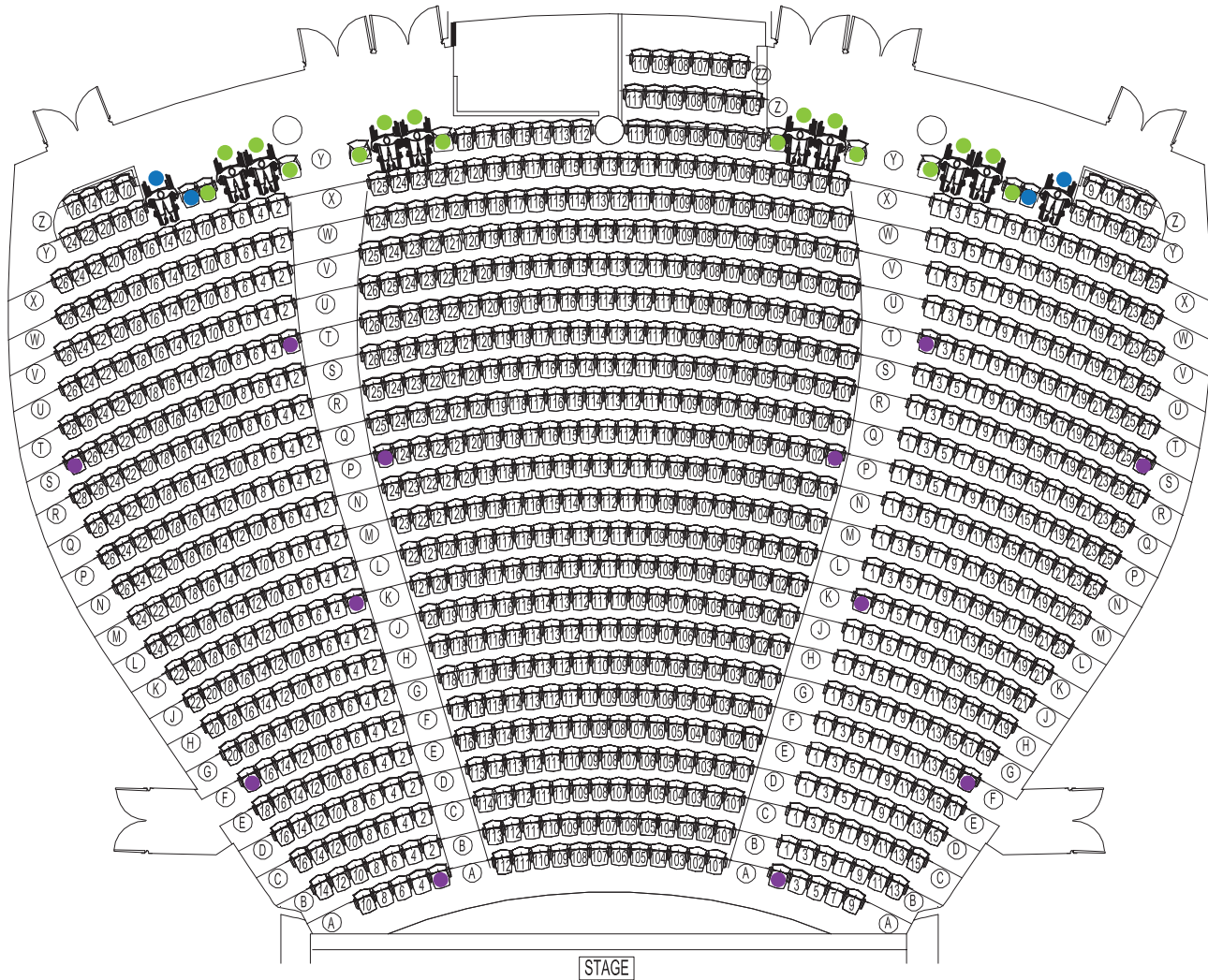


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9	Mezzanine Lobby - Hotel Level (Mezzanine Level Concession Stand)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The upper concession stand counter is at 42" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	<b>Defendant will include accessible sections in operating concession counter.</b>
10	Ticket Office	No signage is provided at the ticket office notifying patrons of the availability of aisle seats without armrests, or with folding or removable armrests on the aisle side.	Install required signage at the ticket office and, preferably, in main lobby, too.	4.1.3(19)(a)	<b>Defendant will provide compliant signage.</b>
11	Ticket Office	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. Ticket counters are at 42½" at AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route. A writing shelf attached to the front of the counter or an auxiliary counter may be acceptable.	7.2(2) 4.3	<b>Defendant will include accessible sections in operating concession counter.</b>
12	Ticket Office	No assistive listening system was found during survey and there was no signage at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	Install ALS system with the required number of receivers and signage incorporating the International Symbol of Access for Hearing Loss at the ticket office(s) or other apparent location(s) notifying patrons of the availability of an assistive listening system. Sign should state "Assistive Listening System Available".	4.1.3(19)b 4.33 4.30, Fig. 43(d)	<b>Defendant has provided ALS and will continue to do so.</b>

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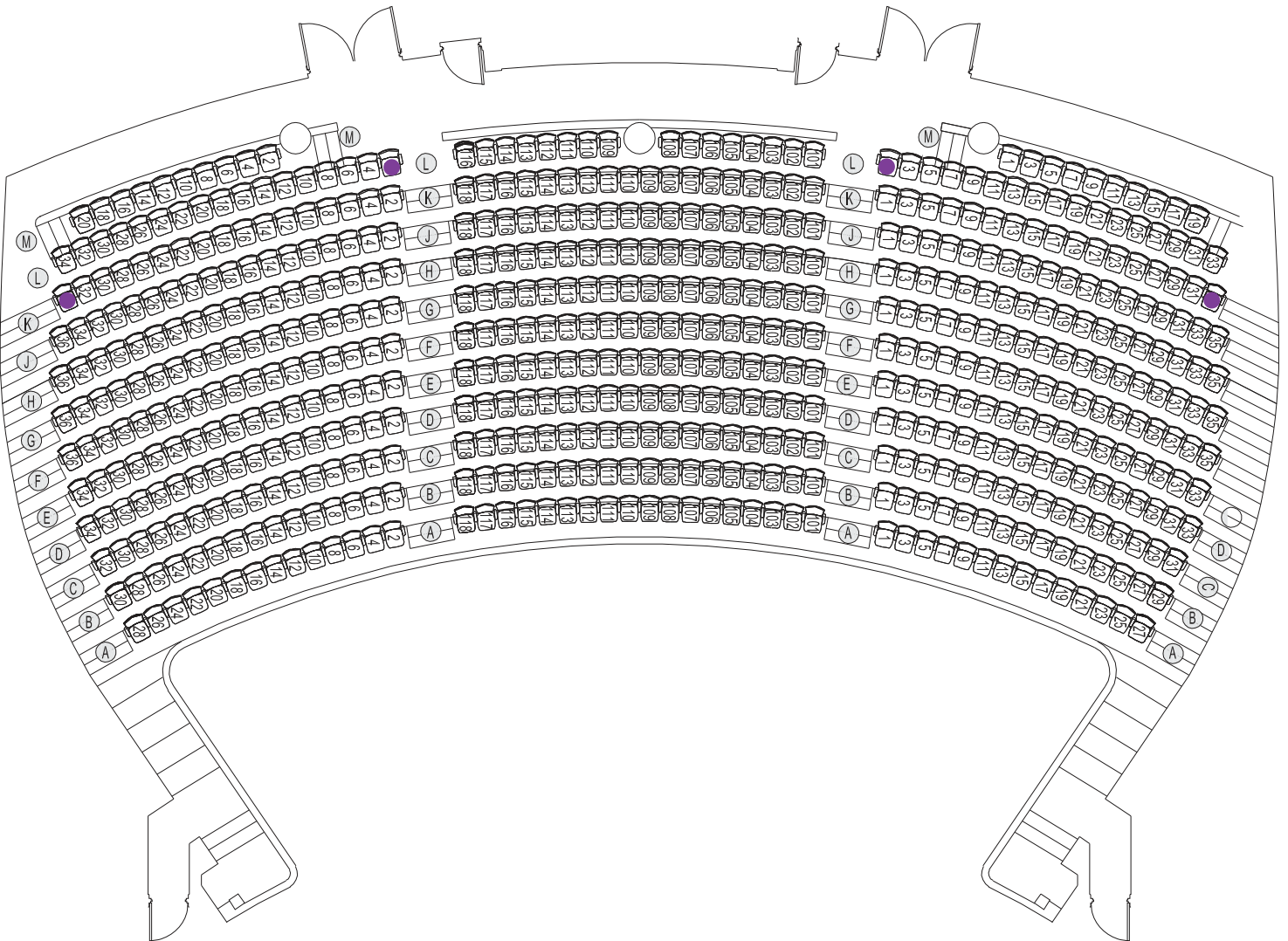
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13	Ticket Office	Existing accessible public pay telephones are not hearing aid compatible and have no volume controls. There are 2 pay telephones, both with parallel approach at 54" AFF. Telephones have no dial tone, are not hearing aid compatible, and have no volume controls.	If phones become usable by anyone (if dial tone is restored), remove one existing phone and replace it with a compliant phone or bring one of the existing phones into compliance.	4.1.3(17) 4.2.4 4.2.5 4.2.6 4.4 4.30.7 4.31.2 4.31.3 4.31.4 4.31.5 4.31.6 4.31.7 4.31.8, Fig. 44	<b>Defendant will remove existing payphones.</b>
14	Ticket Office	Clearance width less than 32" at doorway (or active leaf of double door). Doors are 36" wide but have only 29" clear width due to hinge point locations at Marquis Alley Hotel entrance. (7th Avenue doors are similar.) The concrete in the Marquis Alley will need to be patched/repared.	Modify at least one door to provide 32" minimum clear width. Install signs at inaccessible entrances directing users to accessible entrance(s).	4.1.3(7) 4.13.5 Fig. 24	<b>Defendant will provide complaint door and will repair concrete pavement.</b>



## ■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

**NOTE:** At the Marquis, 5 wheelchair seating and companion locations, and all 16 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 5 wheelchair seating and companion locations are sold at the lowest price.



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- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
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